

1 LIPSON NEILSON P.C.
2 JOSEPH P. GARIN, ESQ.
3 Nevada Bar No. 6653
4 LISA J. ZASTROW, ESQ.
5 Nevada Bar No. 9727
6 9900 Covington Cross Drive, Suite 120
7 Las Vegas, Nevada 89144
Phone: (702) 382-1500
Fax: (702) 382-1512
jgarin@lipsonneilson.com
lzastrow@lipsonneilson.com

8 *Attorneys for Defendant Acorn Claims LLC*

9
10 **UNITED STATES DISTRICT COURT**
11
12 **DISTRICT OF NEVADA**

13 ERIC HADDOX, an individual, and)
14 HEATHER HADDOX, an individual,)
15)
16 Plaintiffs,)
17 vs.)
18)
19)

20 AMERICAN PROPERTY AND CASUALTY)
21 COMPANY, a Corporation; ACORN CLAIMS LLC,)
22 a Limited Liability Company; DOES I through X;)
23 and ROE Business A-Z, inclusive,)
24)
25 Defendants.)
26 _____)
27)

28 Case No.: 2:22-cv-02067-JAD-VCF

29 **STIPULATION AND ORDER
FOR EXTENSION OF TIME FOR
DEFENDANT TO RESPOND TO
PLAINTIFFS MOTION TO
REMAND (ECF 8) (Second
Request)**

30 **STIPULATION AND ORDER TO
STAY BRIEFING ON
DEFENDANT ACORN'S
MOTION TO DISMISS (ECF 7)
PENDING A DECISION ON THE
MOTION TO REMAND, OR
OTHERWISE EXTEND THE
TIME FOR PLAINTIFF TO
RESPOND**

31 **WHEREAS**, Plaintiffs Eric Haddox and Heather Haddox commenced this action against
32 Defendants American National Property and Casualty Company ("ANPAC") and Acorn Claims
33 LLC ("ACORN") in the Second Judicial District Court.

34 On December 14, 2022, ACORN filed a removal petition.

LIPSON NEILSON P.C.
9900 Covington Cross Drive, Suite 120, Las Vegas, Nevada 89144
Telephone: (702) 382-1500 Facsimile: (702) 382-1512

1 On December 20, 2022, ACORN filed a motion to dismiss.

2 On December 21, 2022, Plaintffs filed a motion to remand and for sanctions.

3 On December 22, 2022 this Honorable Court entered an order staying the motion to dismiss
4 and extending the deadline for Defendant to oppose the motion to remand to January 17, 2023.
5 (ECF 10).

6 On January 11, 2023 this Honorable Court entered a minute order setting both the Motion to
7 Dismiss and Motion to Remand for hearing on February 14, 2023.

8 **WHEREAS**, the Defendant requires additional time to oppose the pending motion to
9 remand and represent that the limited extensions requested herein would not alter or amend the
10 hearing date and time.

11 **WHEREAS**, the parties previously stipulated, and this Honorable Court agreed, to stay the
12 briefing on Defendants Motion to Dismiss until after ruling on the motion to remand.

13 **WHEREAS**, the parties again request this court stay the hearing on the Motion to Dismiss,
14 if this Court is so inclined.

15 **WHEREAS**, if this Honorable Court declines to stay the briefing and hearing on the Motion
16 to Dismiss, the Plaintiff requires additional time to oppose the pending motion to dismiss and
17 represents that the limited extension requested herein, in the alternative to a stay, will not alter or
18 amend the hearing date and time.

19 **NOW THEREFORE**, in consideration of the foregoing, the Parties hereto agree as follows:

20 1. The Parties agree that Defendants' opposition to Plaintiffs' motion to remand is
21 extended through and including Monday, January 23, 2023.

22 2. The Parties further agree that the briefing on ACORN's motion to dismiss be stayed
23 pending a decision on the Plaintiff's motion to remand.

1 3. The Parties further agree that should this Honorable Court decline to stay the matter
2 of the motion to dismiss, Plaintiffs' opposition to Defendants' motion to dismiss is extended
3 through and including Monday, January 23, 2023.

4 4. This is the second request to Defendants' opposition to the motion to remand.

5 DATED this 17th day of January, 2023.

6 LEVERTY & ASSOCIATES LAW CHTD.

7 /S/ Patrick Leverty
8 Vernon E. Leverty, Esq.
9 Patrick R. Leverty, Esq.
10 832 Willow Street
11 Reno, NV 89502
12 *Attorneys for Plaintiffs*
13 Eric Haddox and Heather Haddox

DATED this 17th day of January, 2023.

LIPSON NEILSON P.C.

7 /S/ Lisa Zastrow
8 Joseph P. Garin, Esq.
9 Lisa J. Zastrow, Esq.
10 9900 Covington Cross Drive, Suite 120
11 Las Vegas, Nevada 89144
12 *Attorneys for Defendant*
13 Acorn Claims LLC

14 **ORDER**

15 Based on the parties' stipulation [ECF No. 13] and good cause appearing, IT IS ORDERED that:

16 1. Defendants' opposition to Plaintiffs' motion to remand is extended through and
17 including Monday, January 23, 2023; and

18 2. The briefing on ACORN's motion to dismiss is stayed pending a decision on the
19 Plaintiff's motion to remand. A remaining briefing schedule will be submitted by the parties within
20 five business days of the ruling on the motion to remand, should this Court retain jurisdiction;

21 
22 _____
23 UNITED STATES DISTRICT JUDGE

24 20 DATED: 1-23-23
25
26
27
28